

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES,	:	
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-v-	:	1:20-cr-523-GHW
	:	
MEDGHYNE CALONGE,	:	<u>ORDER</u>
	:	
Defendant.	:	
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GREGORY H. WOODS, United States District Judge:

As stated on the record during the July 23, 2021 final pretrial conference, to the extent that the parties have comments on the Court's proposed voir dire questions, they are directed to send them to the Court in a joint letter no later than July 28, 2021. If the alleged victim wants the Court to treat the document described in the Government's July 22, 2021 letter, Dkt. No. 40, as privileged, it must provide the Court with written briefing, including an affidavit affirming the factual basis for its position no later than July 27, 2021 at 5 pm. The parties are directed to provide the Court with briefing regarding the extent that the privilege—assuming one exists—would, under these circumstances, prohibit the production of a documents that includes *Jencks* Act or potential *Brady* material, no later than July 27, 2021 at 5 p.m.

For the reasons stated on the record during the July 23, 2021 final pretrial conference, the Government's motion in limine, Dkt. No. 26, is granted in part and denied in part. Evidence that Defendant contacted "Provider-2" is admissible. As described on the record Court will consider any limiting instructions that the Defendant may wish to propose with respect to the introduction of this evidence. Any proposed limiting instructions should be presented to the Court not later than July 28, 2021. The Government's motion in limine regarding Defendant's 2008 criminal conviction is denied. The Government's motion in limine requesting that the Court exclude all evidence or


argument regarding the Defendant's family background, health, age, or any other similar factors is also denied.

The Defendant's motion in limine, Dkt. No. 30, is granted in part and denied in part. Defendant's motion is denied as it relates to Defendant's 2008 conviction and granted as it relates to Defendant's 2002 arrest.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 26 and 30.

SO ORDERED.

Dated: July 26, 2021
New York, New York



GREGORY H. WOODS
United States District Judge